

AMENDMENTS TO THE CLAIMS:

The following listing of claims replaces all prior listings, and all prior versions, of claims in the above-identified application.

LISTING OF CLAIMS:

1. (Currently amended) A separator for fuel cell, wherein the separator is a molded body comprising graphite and a resin; wherein the separator has a rib portion, a flat portion , and openings within the flat portion; and wherein the separator has~~having~~ a bending strain at the flat portion at break of 0.5% or more.

2. (Currently amended) The separator for fuel cell according to claim 1, having a compressive modulus at the flat portion of 20 GPa or less.

3. (Currently amended) The separator for fuel cell according to claim 1 ~~or~~ 2, having a Shore hardness at the flat portion ranging from 20 to 50.

4. (Currently amended) A separator for fuel cell, wherein the separator is a molded body comprising graphite and a resin; wherein the separator has a rib portion, a flat portion , and openings within the flat portion; and wherein the separator has~~having~~ a compressive modulus at the flat portion of 20 GPa or less.

5. (Currently amended) The separator for fuel cell according to claim 4, having a Shore hardness at the flat portion ranging from 20 to 50.

6. (Currently amended) A separator for fuel cell, wherein the separator is a molded body comprising graphite and a resin; wherein the separator has a rib

portion, a flat portion , and openings within the flat portion; and wherein the separator
has having a Shore hardness at the flat portion ranging from 20 to 50.

7. (Cancelled).

8. (Currently amended) A separator for fuel cell made of a molded body comprising graphite and a resin, wherein the separator has a rib portion, a flat portion and openings within the flat portion, and wherein, after soaking the separator at 80°C for 100 hours in 30 times the volume of the molded body of water, total concentration of sodium, potassium, iron, nickel and magnesium released into the soaking water is 20 ppm or less, and concentration of sulfur released into the soaking water is 30 ppm or less.

9. (Cancelled).

10. (Currently amended) The separator for fuel cell according to claim 7 ~~or~~ 8, wherein the graphite is expanded graphite.

11. (Currently amended) The separator for fuel cell according to claim ~~8~~ 40, wherein the ~~expanded~~ graphite is a pulverized powder of an ~~the~~ expanded graphite sheet.

12. (Currently amended) The separator for fuel cell according to claim 7 ~~or~~ 8, wherein the resin is a thermosetting resin.

13. (Cancelled).

14. (Currently amended) A fuel cell comprising a separator for fuel cell according to any one of claims 4, 6 and 8~~1 to 13~~.

15. (Cancelled).

16. (New) The separator for fuel cell according to claim 1, wherein said bending strain at the flat portion at break is 0.6% or more.

17. (New) The separator for fuel cell according to claim 1, wherein said bending strain at the flat portion at break is in a range of 0.7% to 1.5%.

18. (New) The separator for fuel cell according to claim 4, wherein the compressive modulus at the flat portion is 15 GPa or less.

19. (New) The separator for fuel cell according to claim 4, wherein said compressive modulus at the flat portion at break is in a range from 0.5 GPa to 10 GPa.

20. (New) The separator for fuel cell according to claim 6, wherein the Shore hardness at the flat portion ranges from 20 to 45.

21. (New) The separator for fuel cell according to claim 6, wherein said Shore hardness at the flat portion at break is in a range from 20 to 40.